

LICENSING ACTIONS PROCESS

The initial high-level process map of licensing actions illustrated five areas for further analysis. The five components of licensing actions listed below are sub-processes that hold potential for significant improvement. Maps of each sub-process accompany summaries and observations, which are the basis for our recommendations immediately following this section.

Licensing Action “As Is” Process Maps
Workload and Prioritization Process
Safety Evaluation Process
Request for Additional Information (RAI) Process
Concurrence Process
Public Notification Process

Workload and Prioritization Process

Purpose: To determine which requests will be analyzed first, project how long it will take to complete an item, and to identify urgency.

Steps:

- Project Manager receives a proposed amendment, exemption, or relief from a licensee, and initiates discussion with appropriate technical branch chiefs by proposing priority level (based on Office Letter 803), target date, and hours estimate.
- Technical staff decides if it will perform the safety evaluation, and negotiates terms. If the project manager performs the safety evaluation, the technical staff provides precedents and expertise for the Project Manager.
- Terms of the job are documented on work request forms, which receive concurrence from respective teams and supervisors.
- Project Manager notifies the appropriate teams of the final terms, and the item is ready for analysis. It is added to the reviewer's workload, which is revised as priorities shift.

Safety Evaluation Process

Purpose: To determine if a proposed amendment, relief or exemption meets safety guidelines in CFR50 and NUREG0800.

Steps:

- The reviewer, either the Project Manager (50%) or the technical staff reviews the safety analysis report prepared by the licensee.
- He/she may have an informal conversation with the appropriate Project Manager or technical branch to follow-up with any questions.
- Reviewer proves that the amendment falls within the bounds of CFR50 and NUREG0800 in a written document.
- The Project Manager, only, makes an environmental consideration of the proposed amendment or exemption.
- If one of 20 categorical exclusions found in CFR51.22c, are met, there is no environmental impact (95%), and the evaluation is complete.
- If it does not meet one of the exclusions, the Project Manager conducts an environmental assessment, and if necessary prepares an environmental impact statement as an input to the amendment package.

Request for Additional Information (RAI) Process

Purpose: To formally or informally collect missing information from the licensee to complete a safety evaluation of a proposed amendment, relief, or exemption.

Steps:

- Reviewer identifies the need for more information based on licensee's submitted safety analysis report.
- He/she informally solicits information through telephone calls (90%) and drafts a written RAI (30%).
- Reviewer submits the draft to appropriate branch's section chief to make sure technical staff cannot provide the information.
- The licensing assistant reviews the package for format and referencing, seeks the project director's concurrence, and the RAI is sent to the licensee.
- All work on the item ceases, as reviewers have competing responsibilities.
- Once the information is returned to the project manager, he/she distributes it to the appropriate reviewer, and it is incorporated into review.

Public Notification Process

Purpose: To consider any objections the public may have to proposed amendments or exemptions.

Steps:

- Project Manager evaluates significant hazard implications for a proposed amendment.
- If he/she can conclude that there are no significant hazards associated with the amendment, he/she drafts a "Finding of No Significant Hazards" and submits it to the Federal Register for publication.
- The public has 30 days to comment. Comments are submitted as input to the safety evaluation, but if no comment is made, NRR is free to issue the amendment.
- If the project manager cannot make a "Finding of No Significant Hazards", based on his/her evaluation, the results are considered inconclusive, and NRR submits a "Category 3" notice to the Federal Register.
- The public has 30 days to comment, as above, but at this point, the public may also request a hearing.
- Formal hearing proceedings begin, and OGC reviews every step in hearing documentation, proceedings, and represents NRR staff.
- The licensing board makes an initial decision on the merit of an amendment, and the public has the option to appeal its finding. Ultimately, the Commission may affirm the issuance, or remit it.
- For exemptions, an environmental assessment must be performed, and its results published in the Federal Register. The public may opt for a hearing.
- Reliefs do not require noticing.

Concurrence Package Process

Purpose: To verify that a proposed relief, exemption, or amendment complies with federal regulations from a technical and legal standpoint.

Steps:

- After the safety evaluation is complete, there are two paths of concurrence: the technical staff and Projects.
- If the technical staff performs the review, then the evaluation passes through the technical staff before being compiled into a package and is submitted to Projects, the Office of the General Counsel (OGC), and (<10%) the Office Director.
- Otherwise, the package is compiled and submitted to the technical staff, Projects, OGC, and (<10%) the Office Director.
- All exemptions must be concurred by the Office Director.